

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claims 1-11 and 13-17 remain pending, of which claims 1, 14 and 17 are independent.

The Examiner objects to claim 8 for informalities. *Office Action, item 4.* Claim 8 is amended as the Examiner suggests to address this issue. The claim scope remains unchanged. Applicants respectfully request that the objection to claim 8 be withdrawn.

In the Office Action, the Examiner rejects claims 1-17 under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. ("Mobility Management IP Environment") in view of Dorenbosch et al. (U.S. Patent Publication No. 2004/0028009 A1). Applicants respectfully traverse.

Independent claim 1 recites, in part "a plurality of access selection adapters, each one being a network entity provided separate from the user terminal." An aspect of the present invention relates to a system that allows a user terminal in a network to simultaneously access a plurality of radio based access networks of differing access technologies. Fig. 3 of the present disclosure illustrates a non-limiting embodiment of such a system. The system in Fig. 3 includes a vehicular network 17 to which a plurality of user terminals may connect. In Fig. 3, only one user terminal 18 is shown for clarity reasons. The vehicular network 17 includes access selection adapters 22 and 23, one for

each type of access network technology 19, 20. The vehicular network 17 also includes an access selector 26 which is access technology independent. As seen, the access selection adapter 22 and 23 as well as the access selector 26 are all provided separate from the user terminal 18. In other words, they are not part of the user terminal. The user terminal 18 communicates with the access selector 26 using an IP address of the access selector 26. *Disclosure, page 9, lines 1-2.* This makes the user terminal independent of the access technologies used in the system.

In the Office Action, the Examiner relies upon Chan et al. to allegedly teach or suggest the feature of the plurality of access selection adapters being provided separate from the user terminal. *Office Action, item 6.* On the contrary, Chan et al. does not disclose this feature.

Chan et al. is directed toward an approach to handover management by applying fuzzy logic concept to a heterogeneous environment in which mobility of user terminals between differing access technologies (Chan et al. refers to access technologies as access segments). *Chan et al., Abstract.*

Applicants respectfully direct the Examiner's attention to Fig. 1 of Chan et al. which illustrates an architecture of the system under consideration in Chan et al. In this system, three different wireless access technologies are considered – GPRS, UMTS and a mobile satellite system. *Chan et al., introduction, first paragraph; Fig. 1.* The system also includes a multi mode terminal (MMT).

Chan et al. specifically states “a multi mode terminal (MMT) capable of operating in all access segments is also required.” *Emphasis added; Chan et al., page 42, column 2, third full paragraph.* This is confirmed in Fig. 1 which illustrates the MMT as including terminal equipment (TE), a terminal-interworking unit (TI-IWU), and the three application technology specific terminals MT_{SAT}, MS_{UMTS} and MS_{GPRS}.

In the Office Action, the Examiner is essentially alleging that the technology dependent specific terminal MT_{SAT}, MS_{UMTS} and MS_{GPRS} are separate from the terminal equipment TE. On the contrary, these are all units that are contained within a single multi mode terminal MMT, which is clearly illustrated in Chan et al. Chan et al. discusses handover management of the MMT. *Chan et al., pages 45 et seq.* Simply put, components TE, TI-IWU, MT_{SAT}, MS_{UMTS} and MS_{GPRS} are all part of a single multi mode terminal.

Thus, Chan et al. does not teach or suggest a plurality of access selector adapters, each one being a network entity provided separate from the user terminal. Dorenbosch et al. does not correct this deficiency of Chan et al. Indeed, since the technology specific terminal units are part of the MMT, Chan et al. actually teaches away from the feature of each of the access selection adapter being a network entity as recited. *See KSR v. Teleflex, 550 US___, 127 S.Ct. 1727 (2007) (“When the prior art teaches away from combining certain know elements, discovery of successful means of combining them is more likely to be non-obvious.”).*

Thus, any combination of references that includes Chan et al. is improper.

But in addition, Chan et al. does not teach or suggest the feature of the access selector which interacts with each access adapter for selection of an access network based on an individual QoS profile associated with each application. In the Office Action, the Examiner alleges that the service node illustrated in Fig. 1 is equivalent to the claimed access selector. First, Chan et al. provides no description regarding the service node. As such, it can not be said that the service node interacts with each access adapter (MT_{SAT}, MS_{UMTS} and MS_{GPRS}) for the selection of the access network.

It is noted that the service node is connected to edge routers (ER) in Fig. 1. Chan et al is clear that the edge routers are part of the Internet sub-network. *Chan et al., page 42, second column, first full paragraph.* This at best suggests that the service node communicates with the edge routers via IP only. The service node has no knowledge of the particular access network technology used by the MMT. Thus, the service node cannot in any manner have a role in interacting with the access adapters to select the actual access network. Dorenbosch et al. does not correct this deficiency of Chan et al.

For at least the reasons stated above, independent claim 1 is distinguishable over the combination of Chan et al. and Dorenbosch et al. For similar reasons, independent claims 14 and 17 are also distinguishable over the combination of Chan et al. and Dorenbosch et al. The dependent claims

are distinguishable over the same references by virtue of their dependencies from independent claims as well as on their own merits.

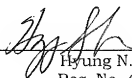
Applicants respectfully request that the rejection of claims based on Chan et al. and Dorenbosch et al. be withdrawn.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Hyung N. Sohn
Reg. No. 44,346

HNS/edg
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100